

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

SAMUEL LEE LEAHEY,

Plaintiff,

vs.

**FRANKLIN COLLECTION
SERVICE, INC.,**

Defendant.

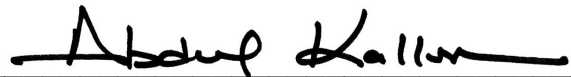
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Civil Action Number
2:09-cv-00709-AKK

ORDER

This matter is before the court on Defendant Franklin Collection Service, Inc.'s Motion to Dismiss Plaintiff's Amended Complaint and All Claims with Prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. 12). For the reasons outlined in the accompanying Memorandum Opinion, Defendant's Motion to Dismiss is DENIED with respect to Count I of the Amended Complaint and GRANTED with respect to Counts II and III of the Amended Complaint.

DONE this 4th day of February, 2010.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE